

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2015-125712-001 DT

11/09/2017

HONORABLE DOUGLAS GERLACH

CLERK OF THE COURT
M. Mogel
Deputy

STATE OF ARIZONA

STANLEY J MARKS
RICHARD E SERDEN

v.

JEOPFREY MUTINDA KAVU (001)

DIEGO RODRIGUEZ
MICHAEL S REEVES

PRETRIAL SERVICES AGENCY-CCC

TRIAL MINUTE ENTRY
DAY SIX

Courtroom SCT 7D

State's Attorney:	Richard Serden
Defendant's Attorney:	Diego Rodriguez and Michael Reeves
Defendant:	Present

Court Reporter, Monica Hill-Morrisette, is present.

A record of the proceedings is also made digitally.

10:33 a.m. Trial to jury continues from 11/08/2017.

The jury is not present.

Discussion is held regarding witness testimony.

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Defense counsel makes an oral Motion to Strike Testimony of Donald Stenberg.

Arguments presented.

For the reasons stated on the record,

IT IS ORDERED granting the defense's oral Motion.

Upon oral motion by counsel for the State, the defense having no objection, and good cause appearing based on the following grounds:

To allow the State time for legal research,

THE COURT FINDS extraordinary circumstances exist and that a delay is indispensable to the interests of justice.

IT IS ORDERED granting the Motion for Continuance.

Further discussion is held regarding scheduling.

10:53 a.m. The jury is now present and is informed of a legal issue concerning the trial.

10:55 a.m. The jury is excused until 11/13/2017 at 10:30 a.m. before this division. Court stands at recess.

3:06 p.m. Court reconvenes with respective counsel and defendant present.

The jury is not present.

Court Reporter, Monica Hill-Morrisette, is present.

A record of the proceedings is also made digitally.

Discussion is held regarding the court's previous ruling on defense counsel's Motion to Strike Witness Testimony.

Defendant makes oral Motion for Mistrial.

Arguments presented.

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For the reasons stated on the record,

IT IS ORDERED denying the motion.

Further discussion is held regarding scheduling issues, the lesser included offense of Negligent Homicide as to Count 1, final jury instructions, and voir dire of witness outside the presence of the jury.

4:07 p.m. Court stands at recess to reconvene on 11/13/2017 at 10:30 a.m. before this division.